

REMARKS

In the Office Action dated January 19, 2010, the Examiner rejected claims 1, 5, 9, 17 – 21, 28 and 29 under 35 U.S.C. § 112, first paragraph, and rejected claims 9, 21 and 29 as obvious over Capeocchi in view of Seth.

Applicants thank the Examiner and the Examiner's Supervisor Dr. Weitach for the courtesies extended to Applicant's representatives, Melvin Robinson and Kelly Morron, during a telephone interview on May 11, 2010. During the course of the interview, the examiners indicated that claims directed to an observable phenotype of the mutant mouse would be non-obvious over the cited art. The examiners indicated that an example of such an observable phenotype is disclosed in the specification and includes a difference in hyperactivity or hypermotility, which is unexpected and non-obvious.

Applicants further thank the Examiner for his review and comments on the draft claims reviewed following the interview.

New claims 33 – 48 and amended claims 5, 9, 17, 20, and 28 as well as pending claims 18 and 19 include features noted during the interview as being non-obvious over the combined teachings of the cited prior art. Also during the telephone interview, the section 112 rejection was discussed and it was agreed that the 112 rejection was overcome.

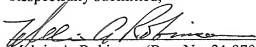
Conclusion

Each issue of the action has been addressed and the application has been placed into form for immediate allowance. In view of the amendments to the claims and the remarks set forth above, the Applicants respectfully submit that the present invention is in condition for allowance.

Deposit Account Information

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to account no. 501519.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Melvin A. Robinson', is written over a horizontal line.

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